Atty Docket No. 7933P001 Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:

Jack D. Robinson et al.

Application No.: 09/686,206

Filed: October 10, 2000

For: SYSTEM AND METHOD TO CONFIGURE AND PROVIDE A NETWORK-ENABLED THREE-DIMENSIONAL COMPUTING ENVIRONMENT

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Response to Notification of Non-Compliant Appeal Brief

In response to the Notification of Non Non-Compliant Appeal Brief mailed July 30, 2008, submitted herewith is a replacement of the *Summary of Claimed Subject Matter* in accordance with 37 C.F.R. § 41.37(c)(1)(v).

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Appellant hereby requests such extension.

CERTIFICATE OF TRANSMISSION
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/Andreas Radke/
Andreas Radke

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: August 28, 2008

/Kevin G. Shao/

Kevin G. Shao
Attorney for Appellant
Registration No. 45,095

Customer No. 08791
1279 Oakmead Parkway
Sunnyvale, California 94085-4040
(408) 720-8300

V. SUMMARY OF CLAIMED SUBJECT MATTER

Appellant's invention as claimed in claims 1-20 is directed to a computer network-based system and method to configure and provide network-enabled three-dimensional computing environments.

Independent claim 1 claims a computer-implemented method comprising: downloading a 3D (three dimensional) environment development program to a computer system from a Web server over the Internet (see e.g., page 15, lines 3-10); executing the 3D development program within the computer system to convert a 2D (two dimensional) desktop environment of the computer system into a 3D computing environment, including installing an interpreter within an operating system of the computer system (see e.g., page 15, line 3 to page 16, line 3); providing the 3D computing environment representing a 3D desktop of a computer system in a 3D environment which is presented as a 3D desktop in a 3D room environment, wherein one or more icons of the 2D desktop environment are spatially displayed on multiple surfaces of the 3D room environment (see e.g., page 11, lines 3-13); receiving a two-dimensional application program; the interpreter dynamically converting the two-dimensional application program to a form useable in the three-dimensional computing environment (see e.g., page 15, line 17 to page 16, line 3); presenting content of the converted application program within the 3D computing environment to allow a user of the computer system to navigate the content of the application program within the 3D computing environment (see e.g., page 15, lines 3-10); accessing a registry server over the Internet to download additional 3D graphical objects to be used in the 3D desktop, wherein the registry server is associated with a community having a plurality of members, and wherein the registry server is configured to maintain 3D graphical objects, including the downloaded 3D graphical object, used by the plurality of members including software updates to the 3D desktop (see e.g., Fig. 3; page 17 lines 3-16; page 18, lines 3-9);

storing the downloaded 3D graphical objects in a repository within the computer system, wherein the repository is configured to store all graphical objects used by the 3D desktop, including graphical objects downloaded over the Internet, updates from the registry server, and user defined objects defined locally by a user of the computer system (see e.g., Fig. 3; page 17 lines 3-16; page 18, lines 3-9).

Independent claim 2 claims data processing system-readable medium having a plurality of instructions executable by a data processing system embodied therein, wherein said instructions when executed cause said data processing system to: download a 3D (three dimensional) environment development program to a computer system from a Web server over the Internet (see e.g., page 15, lines 3-10); execute the 3D development program within the computer system to convert a 2D (two dimensional) desktop environment of the computer system into a 3D computing environment, including installing an interpreter within an operating system of the computer system (see e.g., page 15, line 3 to page 16, line 3); provide the 3D computing environment representing a 3D desktop of a computer system in a 3D environment which is presented as a 3D desktop in a 3D room environment, wherein one or more icons of the 2D desktop environment are spatially displayed on multiple surfaces of the 3D room environment (see e.g., page 11, lines 3-13); receive a two-dimensional application program; the interpreter dynamically convert the two-dimensional application program to a form useable in the three-dimensional computing environment (see e.g., page 15, line 17 to page 16, line 3); present content of the converted application program within the 3D computing environment to allow a user of the computer system to navigate the content of the application program within the 3D computing environment (see e.g., page 15, lines 3-10); access a registry server over the Internet to download additional 3D graphical objects to be used in the 3D desktop, wherein the registry server is associated with an community having a plurality of members, and wherein the registry server is configured to maintain 3D graphical objects, including the downloaded 3D graphical object, used by the plurality of members including software updates to the 3D desktop (see e.g., Fig. 3; page 17 lines 3-16; page 18, lines 3-9); store the downloaded 3D graphical

objects in a repository within the computer system, wherein the repository is configured to store all graphical objects used by the 3D desktop, including graphical objects downloaded over the Internet, updates from the registry server, and user defined objects defined locally by a user of the computer system (see e.g., Fig. 3; page 17 lines 3-16; page 18, lines 3-9).

Dependent claim 3 depends from claim 1 including a limitation wherein the 2D desktop environment is an existing desktop environment as a part of the operating system of the computer system, and wherein the 3D computing environment is installed from the 2D desktop environment (see e.g., Fig. 5; page 22 line 1 to page 23, line 17), wherein the 3D computing environment can be activated from the 2D desktop environment in response to a user request in which the 2D application program is converted by the interpreter into a 3D application and the graphical objects are presented in a 3D manner (see e.g., Fig. 4; page 20, line 1 to page 21, line 23), wherein the 3D computing environment can be deactivated in response to a user request in which the 2D application program is not converted into a 3D application and the graphical objects are presented in a 2D manner (see e.g., Fig. 4; page 20, line 1 to page 21, line 23), and wherein when the 3D computing environment is activated, the 3D computing environment is automatically presented when the computer system reboots without having to display the 2D desktop environment first (see e.g., Fig. 4; page 20, line 1 to page 21, line 23). Dependent claim 12 includes limitations similar to those recited in claim 3.

Dependent claim 4 depends from claim 3 including developing 3D enabled applications using a software development kit (SDK) within the computer system, the 3D enabled applications developed by the SDK can be presented in a 3D manner in the 3D desktop; and accessing the registry server from the computer system over the Internet to download software updates associated with the SDK (see e.g., Fig. 3; page 15, lines 14-16; page 18, lines 3-9). Dependent claim 13 includes limitations similar to those recited in claim 4.

Dependent claim 5 depends from claim 4 including a limitation wherein the Web server comprises a maintenance system and database communicatively coupled to the registry server for periodic updates of 3D computing environment-based protocols, as well as graphical objects

stored in the Web server as a library, wherein by storing the graphical objects in the maintenance system and database of the Web server, the SDK can be used by users to automatically generate 3D enabled Web pages without having the SDK on their desktops (see e.g., Fig. 3; page 15, line 2 to page 17, line 16). Dependent claim 14 includes limitations similar to those recited in claim 5.

Dependent claim 6 depends from claim 5 including purchasing the 3D environment development program from an e-commerce server over the Internet; in response to the purchase, the e-commerce server notifying the Web server to allow the computer system to download the purchased 3D environment development program from the Web server; and the ecommerce server subsequently delivering advertisement information to the computer system to be represented within the 3D desktop of the computer system (see e.g., Fig. 4; page 20, line 1 to page 21, line 23). Dependent claim 15 includes limitations similar to those recited in claim 6.

Dependent claim 7 depends from claim 6 including a limitation wherein executing the 3D environment development program within the computer system comprises installing a persistent kernel within the computer system, wherein a user of the computer system is provided with a demonstration of the purchased 3D desktop in order for the user to decide whether to activate the 3D desktop, wherein if the user chooses not to activate the 3D desktop, the persistent kernel is still active in an unobtrusive 2D persistent window on the user's desktop for delivering and presenting advertisement information to the user, wherein the registry server maintains information regarding downloads to a plurality of computer systems and purchased from the e-commerce server, including user profiles, buying patterns, and searches (see e.g., Fig. 4; page 20, line 1 to page 21, line 23). Dependent claim 16 includes limitations similar to those recited in claim 7.

Dependent claim 8 depends from claim 7 including a limitation wherein the registry server is accessible from the e-commerce server to obtain information about users of the e-commerce server, such that the e-commerce server can generate targeted advertising and product

offerings for a particular user (see e.g., Fig. 4; page 20, line 1 to page 21, line 23). Dependent claim 17 includes limitations similar to those recited in claim 8.

Dependent claim 9 depends from claim 5 including accessing a community server over the Internet via the 3D desktop, the community server providing information and services to a community having a plurality of members; activating a 3D version of the community server via a user interface of the community server; and in response to the activation, the community server communicating with a 3D environment spatial shell component having a 3D spatial representation of a 2D environment previously available from the community server, such that, instead of viewing content provided by the community server in a 2D manner, a user of the computer system can access the same content in a 3D manner using the 3D desktop of the computer system (see e.g., Fig. 5; page 22, line 1 to page 23, line 17). Dependent claim 18 includes limitations similar to those recited in claim 9.

Dependent claim 10 depends from claim 9 including navigating content of the community server in a 3D manner via the 3D desktop of the computer system; and interacting with other members of the community in a 3D manner via the 3D desktop of the computer system (see e.g., Fig. 5; page 22, line 1 to page 23, line 17). Dependent claim 19 includes limitations similar to those recited in claim 10.

Dependent claim 11 depends from claim 10 including wherein executing the 3D environment development program within the computer system comprises installing a persistent kernel within the computer system, wherein a user of the computer system is provided with a demonstration of the purchased 3D desktop in order for the user to decide whether to activate the 3D desktop, wherein if the user chooses not to activate the 3D desktop, the persistent kernel is still active in an unobtrusive 2D persistent window on the user's desktop for delivering and presenting the advertisement information to the user, wherein the registry server maintains information regarding downloads to a plurality of computer systems of a plurality of members of the community having content associated with the community (see e.g., Fig. 4; page 20, line 1 to page 21, line 23). Dependent claim 20 includes limitations similar to those recited in claim 11.